

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JENNIFER ECKHART,

Plaintiff,

v.

FOX NEWS NETWORK, LLC and ED HENRY,
in his individual and professional capacities,

Defendants.

Case No. 1:20-cv-05593(RA)(GWG)

DECLARATION OF [REDACTED]

I, [REDACTED] pursuant to 28 U.S.C. § 1746, declare and state as follows:

1. I am currently [REDACTED] at Fox News Network, LLC (“Fox News”). I have been employed at Fox News since [REDACTED].

2. It is my understanding that Plaintiff Jennifer Eckhart (“Jennifer”) identified me as “Jane Doe 1” in the Third and Fourth Amended Complaints in the above-referenced lawsuit.

3. I met Defendant Ed Henry (“Ed”) in or around the Fall of 2016 when we were both working a [REDACTED] shift at Fox News. I was a [REDACTED] at the time. Ed was not my supervisor when we met, nor was he ever my supervisor during my employment at Fox News.

4. Shortly after meeting Ed, I replied to Ed only in response to a network-wide, work-related email that Ed sent and that I thought was funny. After we exchanged a few emails, Ed asked for my personal email address, and we began communicating over personal email. I did not think Ed’s request for my personal email address was weird at the time.

5. At some point after I shared my personal contact information with Ed, he sent me an unsolicited picture of a penis, which I assumed was his own. I was shocked, but continued to engage with him.

6. In or around November 2016, Ed and I became involved in a welcome, consensual, extra-marital relationship, which continued off and on until around March or April of 2020. At no time during my relationship with Ed did I feel forced or coerced into doing anything that I did not want to do.

7. On one occasion in or around the Fall of 2017, during a consensual sexual encounter, Ed slapped my face a little harder than I would have liked and I cried right away. Ed apologized when he realized that I was upset.

8. During my relationship with Ed, I considered Ed to be my "boyfriend" and believed at the time that our extra-marital relationship was exclusive and that we were in love with one another. There were times when I became upset with Ed because he engaged in conduct that I perceived as flirtatious with other women, but they were not employees at Fox News.

9. In or around Spring of 2020, another Fox News employee who was unaware of my relationship with Ed, told me that Ed had been flirting with her, which is why we ended our relationship. However, I did not think that Ed was sleeping with any other women outside of his marriage besides me while we were together. It was not until after Jennifer's lawsuit was filed that I learned, for the first time, that Ed was also having sexual relationships with other women at Fox News.

10. Ed never promised me any career advancement or other work-related benefits during our relationship. In fact, when I applied for another job opportunity at Fox News during our relationship, and I asked Ed whether there was anything he could do to help, Ed told me all he could do is put in a good word for me, which I assume happened, but I was not selected for the job

opportunity.

11. I kept my relationship with Ed a secret. I never told anyone at Fox News about the relationship prior to Jennifer filing her lawsuit. I also have no reason to believe that anyone at Fox News knew about my relationship with Ed because we both were in committed relationships and went to great lengths to hide our relationship.

12. After Jennifer filed her lawsuit, in or around August 2020, I reached out to Jennifer to provide her with support because I saw her allegations, assumed they were true, and thought she was someone I could trust and speak with about my own relationship with Ed, which I had kept secret for so many years. In connection with this declaration, I reviewed my text messages with Jennifer that I understand have been produced in this case. I thought those texts were private at the time I sent them and did not realize they would become evidence in her lawsuit. I was extremely vulnerable during the time that Jennifer and I exchanged texts because I had not only just learned that my ex-boyfriend had cheated on me during my relationship with him, but I had also just learned that he was accused of raping another woman. Although I do believe that Ed was emotionally abusive toward me, and I totally regret my decision to enter into a relationship with Ed, my relationship with Ed was at all times welcome and consensual irrespective of what I said in my text exchanges with Jennifer.

13. I did not report my relationship with Ed to the Human Resources ("HR") department at Fox News because our relationship was private and consensual, and I did not believe I had anything to report. However, the HR department at Fox News contacted me after Jennifer filed her lawsuit because I sent a tweet in support of Jennifer. The employee from HR asked me if there was anything I wanted to talk about. I told her no. At the time, I thought it was odd that HR was reaching out to me, and I became anxious because I wanted to remain anonymous. In retrospect, I believe HR was likely concerned from the content of my tweet that I

may have something to report that happened to me. I have not otherwise had any interactions with the HR department at Fox News about Ed.

14. Although I am not personally aware of any other “inter-office” affairs or sexual relationships between employees at Fox News, in either 2017 or 2018, I heard rumors of an affair between an Executive Producer and a Senior Producer [REDACTED] [REDACTED]. However, I have no firsthand knowledge of that relationship and did not observe any behavior or conduct while working with them that I viewed as substantiating the rumor.

I declare under penalty of perjury, under the laws of the United States, that the foregoing is true and correct.

Executed on [REDACTED]

in [REDACTED]
[REDACTED]